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EXAMINER	
BEKERMAN, MICHAEL	

ART UNIT	PAPER NUMBER
3622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/916,030	MESSNER ET AL.	
	Examiner	Art Unit	
	Michael Bekerman	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 March 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to papers filed on 3/19/2007.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. **Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding claim 1, this claim recites multiple iterations of the limitation "consumer-specified purchase preferences" (also referred to as "consumer-specified preferences", "preference items", and "said preferences"). The first list, however, may be created based on either "required purchases" or "consumer-specified purchase preference items". Thus, if "preference items" are not used to create the first list (and only "required purchases" are used), then any further recitations of preferences or preference items would lack antecedent basis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U.S. Patent No. 6,313,745) in view of Treyz (U.S. Patent No. 6,587,835), and further in view of Richards (U.S. Pub. No. 2001/0039519).

Regarding claims 1-4, Suzuki teaches the obtaining, via a data network, of a list of consumer specified purchase preference items (items taken into the fitting room) (Abstract, Sentence 5), the comparing of those items to items in inventory (stock information database) (Column 6, Lines 62-67), the generating of a second list of items including at least one item that is at least: on said first list (different colors of an item still refer to the same item) (Column 8, Lines 1-3), conforming to at least one of said consumer-specified preferences (Abstract, Sentence 5), related to at least one item on said consumer list (Abstract, Sentence 5), and is a promoted inventory item on said list of preference items (Column 6, Lines 62-67), and the generating of a third list of items in inventory and available for purchase according to said preferences (the list generated by the server is the second list, while the list generated by the in-store terminal is the third list) (Abstract, Sentences 6 and 7). Suzuki also teaches the changing of consumer preferences items due to a consumer-specified extrinsic event (time of year, found based on consumer purchase and trial history) (Column 9, Lines 1-8). Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less

popular items are inherently identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while they are in the store (Column 51, Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to determine recommendations. Thus, the coupon is given after purchases are made. Treyz teaches ephemeral coupons (Column 37, Lines 32-34). Treyz also teaches providing a shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in the physical store (Abstract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in any way, including the one taught by

Richards. Richard's ordering method allows a user to find recommended products more quickly.

Regarding claims 5, 6, and 11, Suzuki teaches the obtaining, via a data network, of a list of consumer specified purchase preference items (items taken into the fitting room) (Abstract, Sentence 5) and a list of items previously purchased by the consumer (Abstract, Sentence 8), the comparing of preference items to history items (Column 8, Lines 58-67), and the generating of a list of items including at least one item that is at least based on the comparison (Column 8, Lines 58-67). Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less popular items are inherently identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while they are in the store (Column 51, Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to determine recommendations. Thus, the coupon is given after purchases are made. Multiple coupons are capable of being issued. Treyz teaches ephemeral coupons (Column 37, Lines 32-34). Treyz also teaches providing a

shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in the physical store (Abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in any way, including the one taught by Richards. Richard's ordering method allows a user to find recommended products more quickly.

Regarding claims 7, 9, and 12, Suzuki teaches the obtaining of a consumer purchasing profile (past trial and purchase history) and generating a list of recommended items in inventory based on the purchasing profile (Abstract, Sentence 8). When a consumer purchases an item, the number of items in inventory will inherently be adjusted. Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less popular items are inherently identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while

they are in the store (Column 51, Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to determine recommendations. Thus, the coupon is given after purchases are made. Treyz teaches ephemeral coupons (Column 37, Lines 32-34). Treyz also teaches providing a shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in the physical store (Abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in any way, including the one taught by Richards. Richard's ordering method allows a user to find recommended products more quickly.

Regarding claims 8, 10, and 13, while Richards does teach that ordering product by physical location is used for quick purchase (Abstract), Richards does not specify the entrance, cashier, or exit in relation to the ordering. In order to sort a list by physical location, there must inherently be a beginning point and an ending.

Conventional reasoning would suggest that, in order for the list to be used for quick purchase as Richards suggests, the beginning point of the list should be an entrance and the ending points should comprise the cashier and exit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to take entrance, exit, and cashier into consideration when sorting the product list of Richards. This would help maintain the level of quick purchase that Richards strives for.

Regarding claims 14 and 15, Suzuki teaches the obtaining of a first list of items purchased by a consumer via a data network, the obtaining of a second list of items purchased by a consumer via a data network (items purchased on different days may constitute different lists), and the comparing of the lists to obtain a set of purchase preferences (Abstract, Sentence 8). Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less popular items are inherently identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while they are in the store (Column 51, Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to

determine recommendations. Thus, the coupon is given after purchases are made. Multiple coupons are capable of being issued. Treyz teaches ephemeral coupons (Column 37, Lines 32-34). Treyz also teaches providing a shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in the physical store (Abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in any way, including the one taught by Richards. Richard's ordering method allows a user to find recommended products more quickly.

Regarding claims 16 and 17, Suzuki teaches the obtaining of a first list of items purchased by a consumer, the obtaining of a second list of items purchased by a consumer (items purchased on different days may constitute different lists), the comparing of the lists to obtain a set of purchase preferences (Abstract, Sentence 8), and the rendering of a purchase incentive to the consumer based on the purchase preferences (Column 8, Lines 64-67). Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less popular items are inherently

identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while they are in the store (Column 51, Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to determine recommendations. Thus, the coupon is given after purchases are made. Multiple coupons are capable of being issued. Treyz teaches ephemeral coupons (Column 37, Lines 32-34). Treyz also teaches providing a shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in the physical store (Abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in

any way, including the one taught by Richards. Richard's ordering method allows a user to find recommended products more quickly.

Regarding claims 18-21, Suzuki teaches the generating of a computer file containing a list of required purchases and a set of purchase preferences (whether a purchase is important enough to be considered required is up to the individual consumer) (Abstract, Sentence 5), the transmitting of the file from a first computer to a second computer (sent from the fitting room to the server), and the receiving of a list of items to purchase compliant with the purchase preferences and determined by an extrinsic event (user-specified calendar date) (Abstract, Sentence 5 and Column 9, Lines 1-8). Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less popular items are inherently identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while they are in the store (Column 51, Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to determine recommendations. Thus, the coupon is given after purchases are made. Treyz teaches ephemeral coupons

(Column 37, Lines 32-34). Treyz also teaches providing a shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in the physical store (Abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in any way, including the one taught by Richards. Richard's ordering method allows a user to find recommended products more quickly.

Regarding claim 22, Suzuki teaches a data network interface for obtaining, via a data network, of a list of consumer specified purchase preference items (items taken into the fitting room) and a list of required purchases (whether a fitting room item is important enough to be considered required is up to the individual consumer) (2 trips to the fitting room can be considered 2 different lists) (Abstract, Sentence 5), a means for comparing preference items to required items (Column 8, Lines 58-67), a means for generating a second list of items including at least one item that is at least: compliant to said consumer-specified preferences (Abstract, Sentence 5), and a means for generating a third list of items in inventory and available for purchase according to said preferences (the list generated by the server is the second list, while the list generated

by the in-store terminal is the third list) (Abstract, Sentences 6 and 7). Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less popular items are inherently identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while they are in the store (Column 51, Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to determine recommendations. Thus, the coupon is given after purchases are made. Treyz teaches ephemeral coupons (Column 37, Lines 32-34). Treyz also teaches providing a shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in

the physical store (Abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in any way, including the one taught by Richards. Richard's ordering method allows a user to find recommended products more quickly.

Regarding claim 23, Suzuki teaches a data network interface for obtaining, via a data network, of a list of consumer specified purchase preference items (items taken into the fitting room) and a list of required purchases (whether a fitting room item is important enough to be considered required is up to the individual consumer) (2 trips to the fitting room can be considered 2 different lists) (Abstract, Sentence 5), a means for comparing preference items to required items (Column 8, Lines 58-67), a means for generating a second list of items including at least one item that is at least: compliant to said consumer-specified preferences (Abstract, Sentence 5), and a means for generating a third list of items in inventory and available for purchase according to said preferences (the list generated by the server is the second list, while the list generated by the in-store terminal is the third list) (Abstract, Sentences 6 and 7). Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less popular items are inherently identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while they are in the store (Column 51,

Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to determine recommendations. Thus, the coupon is given after purchases are made. Multiple coupons are capable of being issued. Treyz teaches ephemeral coupons (Column 37, Lines 32-34). Treyz also teaches providing a shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in the physical store (Abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in any way, including the one taught by Richards. Richard's ordering method allows a user to find recommended products more quickly.

Regarding claims 24-26, Suzuki teaches a user interface (the store clerk is a user) for obtaining, via a data network, of a list of consumer specified purchase preference items (items taken into the fitting room) and a list of required purchases (whether a fitting room item is important enough to be considered required is up to the

individual consumer) (2 trips to the fitting room can be considered 2 different lists) (Abstract, Sentence 5), a means for comparing preference items to required items (Column 8, Lines 58-67), a means for generating a second list of items including at least one item that is at least: compliant to said consumer-specified preferences (Abstract, Sentence 5), and a means for transferring the second list containing items in inventory and available for purchase according to said preferences, and means for displaying said second list (Figure 10). Suzuki further teaches using list information associated with consumer items to analyze and restock popular items (Column 10, Lines 37-40). By analyzing the popular items, the less popular items are inherently identified (considered to be slow moving merchandise because it is sold at a slower rate than the popular merchandise). While Suzuki teaches the recommending of items on sale, Suzuki doesn't specify the providing of an electronic purchase money voucher for an item on the list. Treyz teaches sending an electronic coupon to a user's portable device while they are in the store (Column 51, Lines 28-43). It would have been obvious to one having ordinary skill in the art at the time the invention was made to give an electronic coupon for a sale item recommended by the system. Having an electronic coupon in hand would greater compel a consumer to purchase the recommended item without wasting the paper for a printed coupon. Suzuki uses purchase history to determine recommendations. Thus, the coupon is given after purchases are made. Multiple coupons are capable of being issued. Treyz teaches ephemeral coupons (Column 37, Lines 32-34). Treyz also teaches providing a shopping list to a consumer after they have entered the store (Column 48, Lines 62-67 and Column 49, Lines 1-3). Treyz

further teaches guiding users to stores based on items in a user list and checking stock on the merchandise at each store (Figures 27 and 28). Regardless, Treyz appears to direct users to stores with any stock of merchandise, which would include overstocked. Suzuki and Treyz don't appear to specify the ordering of items in the recommendation list according to location within the store. Richards teaches a consumer recommendations system that orders recommended products according to location in the physical store (Abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to order the items on a list in any way, including the one taught by Richards. Richard's ordering method allows a user to find recommended products more quickly.

Response to Arguments

All newly added subject matter to the rejections above has been underlined for applicant's convenience.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Bekerman whose telephone number is (571) 272-3256. The examiner can normally be reached on Monday - Friday, 7:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric W. Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MB

JEFFREY D. CARLSON
PRIMARY EXAMINER